



DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT
Office of the Commissioner

Sarah Palin, Governor
Emil Notti, Commissioner

January 19, 2007

Robert D. Mecum, Acting Administrator
Alaska Region
U.S. Department of Commerce
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668

Dear Mr. Mecum:

Thank you for your letter received on January 4, 2007 requesting a determination about new authority and responsibilities conferred by amendments to the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Your question involves the State's legal authority to conduct allocation adjustments as provided in section 305(i)(1)(H) of the MSA regarding the decennial review and adjustment of entity allocations.

The State does not have legal authority to adjust allocations of groundfish, halibut, and crab among the CDQ groups. Therefore, the State cannot undertake the allocation adjustment responsibilities provided in section 305(i)(1)(H) of the MSA.

The State would like to continue working cooperatively with the National Marine Fisheries Service on issues affecting the CDQ program and I look forward to meeting with you in the future. Please contact Greg Cashen, CDQ Program Manager, at 907-269-7959 with any questions you may have.

Sincerely,


Emil Notti
Commissioner

cc: CDQ Groups
Sally Bibb, NMFS
Nicole Kimball, NPFMC